

Message Text

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ORIGIN IO-13

INFO OCT-01 AS-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07
L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15
DHA-02 ORM-02 TRSE-00 EB-08 AID-05 CU-04 AF-08 ARA-10
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TAGS: UN, SHUM

SUBJECT: 33RD SESSION HUMAN RIGHTS COMMISSION: AD HOC
COMMITTEE ON PERIODIC REPORTS--31 JANUARY-4 FEBRUARY

REF: GENEVA 332

DEPARTMENT HAS REVIEWED ANNOTATED PROVISIONAL AGENDA
(E/CN.4/AC.20/L.30) FOR MEETING OF AD HOC COMMITTEE ON
PERIODIC REPORTS. FOLLOWING GUIDANCE FOR USREP IS KEYED
TO AGENDA ITEM NUMBERS:

1. ELECTION OF OFFICERS: PAST PRACTICE HAS BEEN TO
ELECT BY CONSENSUS SINGLE CHAIRMAN/RAPPORTEUR FROM AMONG
REPRESENTATIVES OF EIGHT COUNTRIES ON COMMITTEE. WE
BELIEVE CHAIRMAN SHOULD NOT RPT NOT BE FROM ONE OF PERMA-
NENT SECURITY COUNCIL MEMBERS. AFTER COORDINATING WITH
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WEO REPRESENTATIVES, YOU ARE AUTHORIZED TO SUPPORT CONSENSUS
CANDIDATE, IF, AS APPEARS LIKELY, ONE EMERGES.

2. ADOPTION OF AGENDA: NO OBJECTION.

3. STUDY AND EVALUATION OF PERIODIC REPORTS:

-- THE REPORTS ARE IN THE MAIN COMPILATIONS OF

ADMINISTRATIVE, LEGISLATIVE AND JUDICIAL ACTIONS TOUCHING ON FREEDOM OF INFORMATION THAT THE SUBMITTING STATES DEEM IMPORTANT. AS SUCH, THEY ARE BY NATURE SELF-SERVING DOCUMENTS. THE USREP NEED MAKE NO COMMENT ON THE INDIVIDUAL REPORTS, WHICH ARE OF UNEVEN QUALITY, RANGING FROM DETAILED TREATMENT OF THE SUBJECT TO A FEW BRIEF PARAGRAPHS. THE USREP SHOULD, HOWEVER, TAKE OCCASION TO STRESS THE DEEP INTEREST OF THE U.S. IN FREEDOM OF INFORMATION AND DRAW ON THE U.S. REPORT (E/CN.4/1214/ADD.10), AS APPROPRIATE, TO DEMONSTRATE THIS INTEREST.

-- THE IDEA PUT FORWARD BY HRD DIRECTOR SCHREIBER (REPORTED REFTTEL) WOULD PRESUMABLY INVOLVE DRAWING ON THE INFORMATION COLLECTED IN THESE REPORTS BY A NEWLY-ESTABLISHED INTERNATIONAL BODY IN SETTING INTERNATIONAL STANDARDS FOR FREEDOM OF INFORMATION. USREP SHOULD OPPOSE ANY EFFORT TO SET UP ANOTHER GROUP TO STUDY THIS SUBJECT. OUR EXPERIENCE IN THE UNGA WITH THE LACK OF PROGRESS IN THE DRAFTING OF A DECLARATION OR CONVENTION ON FOI, BOTH OF WHICH HAVE BEEN AWAITING FINAL ACTION SINCE THE EARLY 1960'S, DEMONSTRATES THE FUTILITY OF ORGANIZING YET ANOTHER DRAFTING GROUP. AS A FALLBACK THE USREP COULD PROPOSE RENEWED ATTENTION TO THE DRAFT DECLARATION IN THE UNGA, SINCE THAT DRAFT AT LEAST ENJOYS THE APPROVAL OF ECOSOC, WAS ASSIGNED PRIORITY BY THE 1968 UNGA, AND IS CONSISTENT WITH BASIC FOI PRINCIPLES.

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4. POSSIBILITIES OF REFINING AND IMPROVING THE PRESENT SYSTEM OF PERIODIC REPORTS AND SUGGESTIONS FOR IMPROVING THE YEARBOOK ON HUMAN RIGHTS:

-- THE PRESENT SYSTEM OF PERIODIC REPORTS WOULD AT LEAST HAVE THE VALUE OF PROVIDING A BROAD OVERVIEW OF FREEDOM OF INFORMATION POLICIES AND PRACTICES THROUGHOUT THE WORLD, WERE IT NOT FOR THE FACT THAT MOST GOVERNMENTS DO NOT BOTHER TO PARTICIPATE. FEWER THAN 50 COUNTRIES HAVE PROVIDED THE REPORTS REQUESTED BY THE SECRETARY-GENERAL THAT THE COMMITTEE IS TO REVIEW. GIVEN THE APPARENT LACK OF INTEREST, THERE IS NO DOUBT THAT THE REPORTS PROGRAM FAILS IN SIGNIFICANT RESPECTS TO ACHIEVE ITS PURPOSE. UNLESS THE DEGREE OF PARTICIPATION CAN BE IMPROVED, THERE IS A QUESTION WHETHER THE TIME AND EXPENSE INVOLVED IN THE PRESENT PROGRAM IS JUSTIFIED.

-- THESE SAME GENERAL OBSERVATIONS CAN BE APPLIED TO THE YEARBOOK. SLOW AND FREQUENTLY INADEQUATE RESPONSES,

COUPLED WITH THE LONG TIME LAG BETWEEN RECEIPT AND PUBLICATION OF THE CONTRIBUTIONS BY THE UN, MAKE THE YEARBOOK SERIOUSLY DEFICIENT AS AN UP-TO-DATE REFERENCE SOURCE.

-- IT MIGHT BE POINTED OUT IN CONNECTION WITH THIS ITEM THAT THE HRC SHOULD KEEP UNDER REVIEW THE WORK NOW BEING DONE IN THE FIELD OF MASS COMMUNICATIONS BY UNESCO AND OTHER ORGANIZATIONS (AS NOTED IN RES 31/139 ADOPTED BY CONSENSUS AT THE 31ST GA) SINCE THIS WORK HAS A DIRECT BEARING ON THE PROBLEM OF FREEDOM OF INFORMATION.

5. COMMITTEE'S DRAFT RESOLUTION: IN THE DISCUSSION OF THE DRAFT RESOLUTION WHICH THE COMMITTEE WILL PREPARE FOR HRC APPROVAL, THE USREP SHOULD OPPOSE ANY RECOMMENDATIONS FOR NEW STUDIES OR WORKING GROUPS ON THE GROUNDS THAT UN ORGANIZATIONS HAVE NOT YET DIGESTED AND ACTED ON MATERIALS ALREADY AVAILABLE. THERE IS NO OBJECTION
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TO INCLUSION IN THE DRAFT RESOLUTION OF A LISTING OF THE TYPE OF INFORMATION CONTAINED IN THE REPORTS, SIMILAR TO THAT CONTAINED IN THE LAST HRC RESOLUTION ON THIS SUBJECT (23 (XXIX)). THE DRAFT RESOLUTION MIGHT ALSO BE AN APPROPRIATE PLACE TO INCLUDE MENTION OF THE NEED FOR ENCOURAGING THE FLOW OF INFORMATION TO THE THIRD WORLD, REFERRED TO BY SCHREIBER IN REFTEL. THE USREP SHOULD PRESS FOR AN APPROPRIATE REFERENCE IN THE DRAFT RESOLUTION TO ARTICLE 19 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS DEALING WITH FREEDOM OF INFORMATION AND SHOULD STRONGLY OPPOSE ANY ATTEMPT TO INCLUDE LANGUAGE ENDORSING STATE CONTROL OF INFORMATION.
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Message Attributes

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Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
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Enclosure: n/a
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Errors: N/A
Expiration:
Film Number: D770027-1231
Format: TEL
From: STATE
Handling Restrictions: n/a
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